

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**RAY A. SEBASTIAN
ADC #151702**

PLAINTIFF

v.

CASE NO: 5:13CV00327 BSM

LORI TAYLOR et al.

DEFENDANTS

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young have been reviewed. No objections have been filed. After carefully considering the objections, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's complaint is dismissed for failure to state a claim upon which relief may be granted, and his motion to dismiss [Doc. No. 6] is denied as moot.
2. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).
3. It is further certified that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

An appropriate judgment shall accompany this order.

DATED this 16th day of January 2014.


UNITED STATES DISTRICT JUDGE